

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

Claim 1 - 4. (canceled)

5. (currently amended): A method for producing fermented milk, which comprises reducing a concentration of dissolved oxygen concentration in a mix of raw materials for fermented milk at the start of fermentation to 5 ppm or less by substituting the dissolved oxygen with an inert gas; and carrying out fermentation at a fermentation temperature of from 30°C to 37°C.

6. (currently amended): The method for producing fermented milk according to claim 5, wherein the period of carrying out a fermentation time is shortened than a period of carrying out fermentation without reducing the concentration of dissolved oxygen time of a conventional method at the fermentation temperature.

7. (canceled)

8. (currently amended): The fermented milk produced by the method according to claim 5, which has more excellent properties in smooth texture on tongue, mild taste and rich

~~taste than conventional fermented milk obtained by long-term fermentation at low temperature, and a hardness with which a texture can be maintained at distribution stage.~~

9. (currently amended): The fermented milk produced by the method according to claim 6, ~~which has more excellent properties in smooth texture on tongue, mild taste and rich taste than conventional fermented milk obtained by long-term fermentation at low temperature, and a hardness with which a texture can be maintained at distribution stage.~~

10. (previously presented): A fermented milk, which has a penetration angle of  $31^{\circ}$  or less and a hardness of 40 g or more, wherein the hardness is an elasticity until break of the penetration angle curve obtained by a measurement of the penetration angle of a yogurt knife with a weight of 100 g using a neocurd meter, and the penetration angle is an indicator of smoothness.

11. (previously presented): The fermented milk produced by the method according to claim 5, which has a penetration angle of  $31^{\circ}$  or less and a hardness of 40 g or more, wherein the hardness is an elasticity until break of the penetration angle curve obtained by a measurement of the penetration angle of a yogurt knife with a weight of 100 g using a neocurd meter, and the penetration angle is an indicator of smoothness.

12. (previously presented): The fermented milk produced by the method according to claim 6, which has a penetration angle of  $31^{\circ}$  or less and a hardness of 40 g or more, wherein the hardness is an elasticity until break of the penetration angle curve obtained by a measurement

of the penetration angle of a yogurt knife with a weight of 100 g using a neocurd meter, and the penetration angle is an indicator of smoothness.

13. (new): The method according to claim 5, wherein the reduced concentration of dissolved oxygen is maintained during fermentation.